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T-088 P.001/012 F-180

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WWW.FOLEY.COM**FACSIMILE TRANSMISSION****Total # of Pages 12 (including this page)**

TO:	PHONE #:	FAX #:
Mail Stop AMENDMENT U.S. Patent and Trademark Office		(571)273-8300

From : Michelle Manning
Email Address : mmanning@foley.com
Sender's Direct Dial : 608.258.4305
Date : January 3, 2006
Client/Matter No : 054446-0105
User ID No : 3319

Applicant: Brad DUESLER
Title: METHOD AND APPARATUS FOR
BEVERAGE MERCHANDISING
Appl. No.: 10/679,705
Filing Date: 10/03/2003
Examiner: Cassandra Hope Davis
Art Unit: 3611

1. Amendment Transmittal (2 pages) (Duplicate)
2. Supplemental Response (5 pages) (Duplicate pages 1 and signature page)

If there are any problems with this transmission or if you have not received all of the pages, please call 608.258.4252.

Operator:	Time Sent:	Return Original To:
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Cover Page 1 of 1

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MADI 611082.1
 PAGE 1/12 * RCVD AT 1/3/2006 4:18:54 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/29 * DNIS:2738300 * CSID:608 2584258 * DURATION (mm:ss):04:10

Atty. Dkt. No. 054446-0105

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brad DUESLER

Title: METHOD AND APPARATUS
FOR BEVERAGE
MERCHANDISING

Appl. No.: 10/679,705

Filing Date: 10/03/2003

Examiner: Cassandra Hope Davis

Art Unit: 3611

CERTIFICATE OF FACSIMILE	
I hereby certify that this correspondence is being faxed to Mail Stop Amendment of the Patent and Trademark Office, Fax No. (571)273-8300 on January 3, 2006.	
<i>Michelle Manning</i> (Printed Name)	
<i>MM</i> (Signature)	
January 3, 2006 (Date of Deposit)	

AMENDMENT TRANSMITTAL

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Examiner:

Transmitted herewith is an amendment in the above-identified application.

Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

The fee required for additional claims is calculated below:

	Claims As Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	9	-	20 = 0	x \$50.00	= \$0.00
Independent Claims:	5	-	5 = 0	x \$200.00	= \$0.00
First presentation of any Multiple Dependent Claims:			+ \$360.00	=	\$0.00
			CLAIMS FEE TOTAL	=	\$0.00

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Atty. Dkt. No. 054446-0105

- [X] Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

[X] Extension for response filed within the first month:	\$120.00	\$120.00
[] Extension for response filed within the second month:	\$450.00	\$0.00
[] Extension for response filed within the third month:	\$1,020.00	\$0.00
[] Extension for response filed within the fourth month:	\$1,590.00	\$0.00
[] Extension for response filed within the fifth month:	\$2,160.00	\$0.00
	EXTENSION FEE TOTAL:	\$120.00
[] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
	CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:	\$120.00
[X] Small Entity Fees Apply (subtract ½ of above):		\$60.00
	TOTAL FEE:	\$60.00

- [X] Please charge Deposit Account No. 50-2350 in the amount of \$60.00. A duplicate copy of this transmittal is attached.

- [X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2350. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-2350.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date January 3, 2006

By 

FOLEY & LARDNER LLP
Customer Number: 23524
Telephone: (608) 258-4305
Facsimile: (608) 258-4258

Michelle Manning
Attorney for Applicant
Registration No. 50,592

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Dkt. No. 054446-0105

Applicant: Brad DUESLER

Title: METHOD AND APPARATUS FOR BEVERAGE MERCHANDISING

Appl. No.: 10/679,705

Filing Date: October 3, 2003

Examiner: Cassandra Hope Davis

Art Unit: 3611

CERTIFICATE OF FACSIMILE	
I hereby certify that this correspondence is being faxed to Mail Stop Amendment of the Patent and Trademark Office, Fax No. (571)273-8300 on January 3, 2006.	
<i>Michelle Manning</i> (Printed Name)	
<i>M.M.</i> (Signature)	
January 3, 2006 (Date of Deposit)	

SUPPLEMENTAL RESPONSE

Mail Stop AMENDMENT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Examiner:

This amendment is a supplemental reply to the Non-Final Office Action mailed September 9, 2005 for the above-referenced patent application. The shortened 3 month statutory period for response to the Office Action expired on December 9, 2005. Therefore with the accompanying petition for a 1 month extension of time, Applicant believes this response is timely filed.

The Patent Office is hereby authorized to charge any additional fees required for this filing, or credit any overpayment to Deposit Account No. 50-2350. For the purpose of charging said deposit account a duplicate of page 1 and the signature page of the response is submitted herewith.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this document.

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JAN-03-06 15:21

FROM=Foley & Lardner LLP

608-2584258

T-089 P.007/012 F-180

Atty. Dkt. No. 054446-0105

Remarks/Arguments begin on page 5 of this document.

Please amend the application as follows: